

Inventor: Thomas Dom

Application No. 10/692,102

Examiner: Matt Luby, Art Unit 3611

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SUPPLEMENTAL REMARKS

Matt,

I would like to make additional comments regarding amendments to my application. Specifically, I want to comment on the amendment to claim 1 that you stated was needed to distinguish the claim from the Edele patent. Your interview summary of our phone interview on 17 May 2005 made the statement "if substantial amendment that required further search and/or consideration were made after a Final Rejection, this amendment to the claims would not be considered". I do not feel that the amendment should require further search and/or consideration for the following reasons:

1) You requested that claim 1 be amended to state that the vehicle weight is transferred through the various parts in order to distinguish my invention from the Edele patent. I disagree with this because it is repetitive – it is evident that the weight must be transmitted through the parts without explicitly stating so. There are no other parts that the vehicle weight can be transferred through. Why state the obvious? Note that the Edele patent, the Fior patent, and other patents I have referenced do not state in their claims that the weight is transferred through any of the parts. This is because it is common sense that the vehicle weight is carried through the parts described in their claims and to say so would be repetitive.

2) Nothing has changed in the application that requires further search and/or consideration. If you feel that further search and/or consideration is required it is because you did not understand my invention from the beginning. The specification has always had enough information for you to understand my invention. I am disappointed by the fact that you dismissed the five differences (between my invention and the Edele patent) I listed in my Office Action Reply dated 2 Feb. 2005 as "moot" yet when I repeated them almost word for word during our phone interview, you then realized that there is no similarity between my invention and the Edele patent. I should not be penalized because you did not understand my invention.

There are only two possible actions that you can take that I feel would be fair:

- 1) If you believe that further search and/or consideration is required, then you must revive the application on your behalf.
- 2) Allow the amendments and issue the patent. Although I do not feel that the amendment to claim 1 (regarding the vehicle weight) is needed, I am not opposed to having it included.

Thomas Dom 7/28/05